

FILED

SAMPLE 1

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

UNITED STATES DISTRICT COURT

for the

Western District of Oklahoma

MAY 18 2021

CARMELITA REEDER SHINN, CLERK
U.S. DIST. COURT, WESTERN DIST. OKLA.
BY DEPUTY**CIV 21 0516 J**WILLIAM L. HARDING

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

SEE ATTACHED

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No. _____

(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☒ Yes ☐ No**COMPLAINT FOR A CIVIL CASE****I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address

William L. Harding
P.O. Box 548
Lexington, Cleveland Co
Oklahoma 73051

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

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Defendant No. 1

Name
 Job or Title (if known)
 Street Address
 City and County
 State and Zip Code
 Telephone Number
 E-mail Address (if known)

Oklahoma Department of Corrections
 Corporation
 3400 MLK Blv
 Oklahoma ; Oklahoma Co.
 Oklahoma ; 73111

Defendant No. 2

Name
 Job or Title (if known)
 Street Address
 City and County
 State and Zip Code
 Telephone Number
 E-mail Address (if known)

Joseph Harp; OCI Furniture Fact.
 Corporation
 16661 Mossat Road; Box 548
 Lexington ; Cleveland Co.
 Oklahoma, 73051

Defendant No. 3

Name
 Job or Title (if known)
 Street Address
 City and County
 State and Zip Code
 Telephone Number
 E-mail Address (if known)

Anthony Wiechee
 Industrial Coordinator
 16661 Mossat Road; Box 548
 Lexington ; Cleveland Co.
 Oklahoma 73051

Defendant No. 4

Name
 Job or Title (if known)
 Street Address
 City and County
 State and Zip Code
 Telephone Number
 E-mail Address (if known)

Alex Luent
 Acting Director; AS Signed RTS
 3400 N. Martin Luther King Blv.,
 Oklahoma ~~Oklahoma~~ Oklahoma Co
 Oklahoma 73111

Defendant No 5. See Attached pg 1

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Defendants; one pg 1 of 5

Oklahoma Department of Corrections
Joseph Harp Furniture Factory
Anthony Wiechec
Alex Curren
Keith Wells

The Defendants; pg 2 of 5
Defendant No. 5.

Name: Keith Wells

Job or Title: Shop Supervisor

Street address: P.O. Box 548; Hellet Moffatt Road

City & County: Lexington; Cleveland Co.

State and zip code: Oklahoma 73051

Telephone Number:

E-Mail Address:

B. The Defendant is a corporation

The defendant Joseph Harp OCI; Furniture Factory
is incorporated under the laws of the State of Oklahoma
and has its principle place of business in the State
of Oklahoma; Lexington, Cleveland County.

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*



Federal question



Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

*Title VII of The Civil Rights Act;
Equal Pay Act.*

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* _____, is a citizen of the
State of *(name)* _____.

b. If the plaintiff is a corporation

The plaintiff, *(name)* _____, is incorporated
under the laws of the State of *(name)* _____,
and has its principal place of business in the State of *(name)* _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, *(name)* _____, is a citizen of
the State of *(name)* _____. Or is a citizen of
(foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) Oklahoma Dept. of Correction is incorporated under the laws of the State of (name) Oklahoma, and has its principal place of business in the State of (name) Oklahoma. Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

Does Not Apply

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.) See Attached

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

See: ~~Attachment~~ pg 2-5
"Attachment Page"

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

I am seeking \$250,000⁰⁰ for the violations of my civil rights, the desamiation of character, unpaid overtime, retaliation, back pay & forward pay, & the racial discrimination that I suffered. To my understanding they still do not pay overtime. But certain white personnel are being paid

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different pay rolls so that they can be paid more money ~~than~~ than what they say is allowed at the Furniture Factory. Also, racial balance is still not kept in any fashion as to affirmative action statutes

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

4-23-2021

Signature of Plaintiff

Printed Name of Plaintiff

William E. Harding
William E. Harding

B. For Attorneys

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

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III. Statement of Claim

No. 1. racial discrimination: I was laid off and ultimately fired by Anthony Wiech and Alex Lunn for speaking up for myself against an accusation for hobby crafting, while being African American, whereas others that are white did not suffer the same fate, for speaking up for themselves.

No 2. Defamation: On 3-9-2020 in a production meeting Anthony Wiech defamed me in front of my work peers which were all white or than Alfred Poolaw which is Native American. Demeaning me for several minutes with the intent to embarrass, shame & harass me in front of others while Keith Wells sat there and watched.

No 3. Retaliation: After work on 3-9-2020, at the security check gate I was told by Officer Jacques that I was laid off by Anthony Wiech for one week. This was done in retaliation for me speaking up for

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myself at the production meeting. On 3-11-2020 I filed a complaint "Request To Staff" No. JHCC-12575. The end result was that I was terminated on 6-15-2020 No 4. No overtime pay: During my entire time working at Joseph Harp Furniture Factory I was never paid overtime for the extra hours worked as required by State & Federal laws. My time ~~sheet~~ sheets will verify this claim.

No. 5 Hostile work environment: Anthony Wiechec instructed personal of all levels to report to him if they saw anything that they deemed to be extra work, side jobs aka Hobby Craft. Creating a hostile work environment because He & Alex Lunn had people do personal Hobby Craft for themselves including me the petitioner William Harding. Anthony Wiechec showed favoritism over one nationality over another when to his Advantage.

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No 6. Cat Paw theory: Anthony Wierchee, Keith Wells and Alex Luzzo took under advisement and made personal decisions based off the direction of certain white personnel at the ~~XXXX~~ Furniture Factory at Joseph Harp, allowing them to dictate whom was hired, what positions they worked & how much they were paid.

At one time I was elected to become Shoppe lead man, after a day or two Keith Wells ask me to allow some else to take the position, after a brief discussion there was an agreement made that if I did so, myself & Wade Edwards would both be moved out one pay to let an hour which we both were with in the next week or so.

Afterwards I told the other personnel, that certain white personnel approach Keith Wells, saying a black floor lead was ~~not~~ ~~was~~

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Not what was wanted by them and others, which the majority of the Furniture Factory personnel is White & all of the Department of Corrections Furniture Factory personnel is White.

Please See:

"Equal Employment Opportunity Commission" pages 1-7 enclosed

EXHIBIT "A" pages 1-11
"B" pages 1-11 & 161

Respectfully
Submitted

William L. Harding
W. L. Harding

Certificate of Service

☐ I hereby certify that on (date) _____, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants: (insert names)

☐ I hereby certify that on (date) _____, I served the attached document by (service method) _____ on the following, who are not registered participants of the ECF System: (insert names and addresses)

s/ Pro-se Will. A. Habib
s/ Attorney Name